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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,468	02/19/2004	Myoung Seon Choi	U 015038-4	4837

140 7590 03/24/2006

LADAS & PARRY
26 WEST 61ST STREET
NEW YORK, NY 10023

EXAMINER

AGUIRRECHEA, JAYDI A

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

✓ A EV

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/782,468

Applicant(s)

CHOI ET AL.

Examiner

Jaydi A. Aguirrechea

Art Unit

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 15 March 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-4.
Claim(s) withdrawn from consideration: _____.

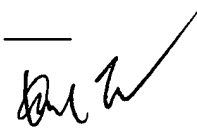
AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

KARL TAMAI
PATENT EXAMINER



DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on 3/9/06 have been fully considered but they are not persuasive.
2. It is respectfully submitted that, although the amendments to the claims overcome some of the 112 issues presented previously, the claims as amended and newly presented are not clear and ready for examination and/or allowance.
3. Some of the Examiner's concerns are presented below.
 - In amended claim 4, step (1) claims a *front load effective impedance* being inputted. However, it is not clear from the claims, where this effective impedance is to be inputted.
 - In the same step (1) where the "input of the impedance" is taking place; the sensitivity, pulse width and performance index of the piezoelectric transducer are computed using a KLM model computation. Isn't it supposed to be a different step?
 - How is the minimum value of the front load effective impedance selected? As best understood by the Examiner, the front load effective impedance was a "single value", however, a minimum value is claimed.
 - It should also be noted that in the Table "Z3" should read " Z_3 ".
 - The Applicant claims using a "video waveform" instead of a "RF waveform" for evaluating the sensitivity and the pulse-width of the piezoelectric transducer at the end of claim 4. It is not clear if the Applicant is using this evaluation to determine the values discussed in step (1).

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- In proposed new claim 5, at the end of the claim, the Applicant states “and the above results are obtained”. If the “above results are obtained” based on the table and the equation, it is unclear what the Applicant considers to be the inventive feature of the instant application.

4. Due to the indefiniteness of the claims, no prior art has been applied to the claims.

However, some references with relevance to the background of the invention have been cited in the previous office action. When the claims are made definite such a consideration may be made and the Applicant is suggested to distinguish the claimed invention over the cited references.

5. As stated in the Advisory Action (PTO-303), the proposed amendment will not be entered since the amendments and the newly presented claim will require further search and consideration and the claims are still not in condition for allowance.

6. If the Applicant decides to request a continuation of the prosecution of the instant application, the Examiner suggests scheduling a personal interview with the Applicant or Applicant’s representative at their earliest convenience in order to expedite prosecution.

7. The Examiner has attached a copy of the proposed claims with some suggested changes that She believes will **better** define the claimed invention. By no means the Examiner suggests this changes will make the case allowable. If the Applicant believes the Examiner have misunderstood the invention based on the suggested changes, Applicant’s representative is welcome to schedule a personal or telephone interview if they believe it to be necessary.

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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jaydi A. Aguirrechea whose telephone number is 571-272-2018. The examiner can normally be reached on M-Th 9-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren E. Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAA
3/18/2006


KARL TAMAI
PRINCIPAL EXAMINER